



Austin City Council MINUTES

JANUARY 9, 1992 - 1:00 P.M.

MEETING CALLED TO ORDER - 1:00 P.M.

1. Approval of Minutes for Regular Meeting of December 19, 1991 and Special Meetings of December 19, 1991 and December 23, 1991.

Approved with corrections, on Councilmember Larson's motion, Councilmember Reynolds' second, 5-0 Vote, Mayor Pro Tem Urdy and Councilmember Garcia not yet in Council Chambers.

1:00 P.M. - CITIZEN COMMUNICATIONS

2. Mr. Leonard Lyons discussed City issues.
3. Ms. Maria Rocha discussed employee issues.
4. Ms. Carol Guthrie discussed employee issues.
5. Mr. Henry Ratliff discussed Austin opportunities.
6. Mr. David Elliott discussed current City issues.
7. Mr. Jimmy Castor discussed school board elections.
8. Ms. Rose Dodd discussed the airport.

ORDINANCES

9. Approved second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 4712 to 4720 S. Congress Ave., Case No. C14-91-0077, from "CS" and "SF-3" to "CS", RESOLUTION TRUST CORP. FOR CONTINENTAL SAVINGS ASSOC., by DJ-X, Inc.. First reading on October 10, 1991; Vote 7-0. Conditions met as follows: Conditional Overlay incorporates conditions imposed by Council. Street Deed has been executed.
10. Amended the 1991-92 Parks and Recreation Department Golf Enterprise Fund Operating Budget by appropriating \$193,000 from the Golf Enterprise Fund to purchase nutrient analysis equipment, cold water drinking fountains, cart path extension, a ball barrier fence, cart

storage facility expansion, landscaping and lake improvements at Hancock, Jimmy Clay, Lions and Morris Williams Golf Courses.

On Councilmember Garcia's motion, Mayor Pro Tem Urdy's second, 7-0 Vote.

11. Authorized acceptance of \$3,222 in grant funds from the Texas Commission on the Arts and amend the 1991-92 Parks and Recreation Department Special Revenue Fund by appropriating the grant funds to the Parks and Recreation Department Special Revenue Operating Budget for an educational forum to train visual artists to develop competitive art proposals for Arts in Public Places Projects. (City's match is \$3,222).

Council directed that this be sent to the Parks Board for their review and put on the next Council agenda after the Parks Board review.

12. Authorized acceptance of \$25,000 in grant funds from New York University's Substance Abuse Strategic Intervention Program/U.S. Department of Justice's Bureau of Justice Assistance, and amend the Special Revenue Fund budget of the Health and Human Services Department by increasing appropriations for the Strategic Intervention for High Risk Youth Planning grant in the amount of \$25,000.
13. Authorized acceptance of a \$6,646 increase from the Texas Department of Health for the Maternal & Child Health - Title X grant; amend Ordinance No. 910912-A, the 1991-92 Special Revenue Fund by increasing appropriations by \$6,446 to the Health and Human Services Department Special Revenue Fund.
14. Amended Ordinance No. 910912-A, the Health and Human Services Department Operating Budget, by increasing revenue by \$26,233 and expenses by the same amount to recognize an increase in revenue from the Texas Department of Human Services. (Related to Item 17)
15. Authorized acceptance of \$357,076 in grant funds from the Texas Department of Health for the HIV Health and Social Services grant; amend Ordinance No. 910912-A, the 1991-92 Special Revenue Fund by increasing the grant appropriation to the Health and Human Services Special Revenue Fund by \$172,076. (Related to Item 16)

#12-15, on Councilmember Garcia's motion, Mayor Pro Tem Urdy's second, 7-0 Vote.

RESOLUTIONS

16. Approved execution of five (5) contracts under the Texas Department of Health, HIV Health and Social Services grant: AIDS Services of

Austin, in the amount of \$181,440; Child and Family Service, in the amount of \$5,875; Community Action, in the amount of \$27,469; People's Community clinic, in the amount of \$31,486; and Project Transitions, in the amount of \$63,874. (Funding in the amount of \$310,144 provided by the Texas Department of Health.) (Related to Item 15)

17. Approved an amendment for a \$26,233 increase in the contract with the Texas Department of Human Services that provides revenue for family planning services to low income citizens, for a total contract amount of \$288,237, and authorize renewals to the contract for an additional three (3) years, in the amount of \$288,237 per renewal. (Funding provided by the Texas Department of Human Services Title XX Family Planning Program.) (Related to Item 14)

#16-17 on Councilmember Nofziger's motion, Mayor Pro Tem Urdy's second, 7-0 Vote.

18. Approved negotiation and execution (RFQ) of a contract with REPRODUCTIVE SERVICES, Austin, Texas, for professional reproductive health services for the indigent, in an estimated amount of \$100,000, with the option to extend for two (2) additional twelve (12) month periods, in an estimated amount of \$100,000 per extension, for a total estimated amount of \$300,000. (Funding included in the 1991-92 Operating Budget of the Health and Human Services Department. Funding for the extensions will be requested in each respective fiscal year budget.) Best proposal of three (3). The prime did not identify any subcontracting opportunities.

On Councilmember Garcia's motion, Councilmember Nofziger's second, 7-0 Vote.

19. Approved execution of a construction contract award to BRAUN & BUTLER CONSTRUCTION, Austin, Texas, for the construction of an underfloor drainage system at the Northwest Recreation Center, in the amount of \$153,000. (Funding included in C.I.P. 823-867-5001 - Parks and Recreation Department.) Low bid of four (4). The prime identified three (3) areas of subcontracting; none of the contracted M/WBE Firms were interested in bidding.
20. Authorized negotiation and execution (RFP) of a twelve (12) month contract with AUSTIN TENANTS COUNCIL, for the Fair Housing & Tenant Counseling Program, in an amount not to exceed \$144,000. (Funding provided by 17th Year Community Development Block Grant Funds.) Sole Proposal. The prime will be subcontracting 4% of the contract and has committed to utilizing M/WBEs. (Housing Subcommittee)
21. Authorized negotiation and execution (RFP) of two (2) twelve (12) month Home Maintenance Program contracts with the AUSTIN AREA URBAN LEAGUE, for program services assessments and home repair services,

in an amount not to exceed \$462,121, and with UNITED CEREBRAL PALSY, for program services assessments and architectural barrier removal services, in an amount not to exceed \$295,454. (Funding provided by 17th Year Community Development Block Grant Funds.) Best proposals of four (4). (Urban League - 38% MBE, 1% WBE Subcontractor participation; United Cerebral Palsy - 36% MBE, 0% WBE Subcontractor Participation.)

22. Approved execution of a contract award with INTERGRAPH CORPORATION, Austin, Texas, for the purchase of a Electrostatic Plotter Package for use at the Water and Wastewater Department, in an amount not to exceed \$55,222. (Funding included in the 1991-92 Operating Budget of the Water and Wastewater Department.) Sole Source. The prime did not identify any subcontracting opportunities.

#19-22 on Councilmember Nofziger's motion, Mayor Pro Tem Urdy's second, 7-0 Vote.

23. Approved the selection (RFQ) of professional engineering services to AVIATION ALLIANCE, INC., (WBE-DBE), Colleyville, Texas, for the planning, design and construction phases of Robert Mueller Municipal Airport Airfield Lighting Improvements, in the amount of \$437,400. (Funding included in C.I.P. 881-817-5522. The project is eligible for 75% reimbursement from the Federal Aviation Administration Airport Improvement Program monies.) Best proposal of eleven (11). DBE 10%: 10% MBE, 0% WBE Subcontractor participation.

On Councilmember Garcia's motion, Councilmember Nofziger's second, 7-0 Vote.

24. Approved selection (RFQ) of four (4) architectural firms: TOM HATCH ARCHITECTS, Austin, Texas; THE BOMMARITO GROUP (WBE), Austin, Texas; CARTER DESIGN ASSOCIATES (M/WBE), Austin, Texas; STUDIO TEXAS (WBE), Austin, Texas, for an Architectural Services Rotation List to provide services on a variety of small, fast turnaround projects for a period of one year or until available funding is expended, in an amount not to exceed \$60,000 +/- per firm, for a total amount of \$240,000. (Funding for these services will be provided from the C.I.P. and Operating budgets of various departments needing the services.) Best proposals of twenty-one (21). Percentages of subcontractor participation cannot be determined at this time because the actual scope of work is unknown.

On Councilmember Garcia's motion, Mayor Pro Tem Urdy's second, 7-0 Vote.

25. Approved execution of a twelve (12) month supply agreement with 3M Company, St. Paul, Minnesota, for the purchase of high intensity reflective sheeting materials used for the fabrication of traffic signs, in an amount not to exceed \$36,087, with two (2) twelve (12)

month extension options, in an amount not to exceed \$36,087 per option, for a total amount not to exceed \$108,261. (Funding included in the 1991-92 Operating Budget of the Department of Public Works and Transportation. Funding for the extension options is subject to availability of funds.) Low bid of two (2). The prime did not identify any subcontracting opportunities. Reference No. IFB 910969-1RH.

26. Approved execution of a contract with COOPER EQUIPMENT COMPANY, San Antonio, Texas, for a twelve (12) month rental of a motorgrader for use at the City landfill, in an amount not to exceed \$47,940. (Funding included in the 1991-92 Operating Budget of the Environmental and Conservation Services Department.) Low bid of three (3). The prime did not identify any subcontracting opportunities. Reference IFB No. 920203-1SS.

#25-26 on Councilmember Nofziger's motion, Mayor Pro Tem Urdy's second, 7-0 Vote.

27. Approved an amendment to the Community Facilities Contract with Advanced Micro Devices for the construction of East Oltorf Street Paving and Drainage Improvements from University Business Park to Montopolis Drive, in the amount of \$663,907. (Funding in the amount of \$400,457 included in C.I.P. 825-607-2023 - 1984 Bond Funds; \$263,450 provided by previously encumbered C.I.P. 825-607-2058 - 1984 Bond Funds by Council action approving the original Community Facilities Contract in March 10, 1988.)

On Councilmember Garcia's motion, Mayor Pro Tem Urdy's second, 5-0-1 Vote, Councilmember Larson abstained because of conflict of interest, and Councilmember Epstein was out of the room.

28. Approved a lease amendment with Two Commodore Inc. for 3,779 sq. ft. of additional office space in Two Commodore Plaza, 206 East 9th Street, for use by Environmental and Conservation Services Department and Human Resources Department expansions, in the amount of \$27,712,67. (Funding in the amount of \$17,930 for 2,445 sq. ft. to be paid by Environmental and Conservation Services Department and \$9,782.67 for 1,334 sq. ft. to be paid by Human Resources Department.)

On Councilmember Garcia's motion, Mayor Pro Tem Urdy's second, 6-0 Vote, Councilmember Epstein out of the room.

29. Appeal by the Capital Area Foster Parents Association of the revocation of its Charitable Solicitation Permit by the Charitable Solicitation Board.

Approved issuance of 4-month Interim Permit, on Councilmember Garcia's motion, Councilmember Reynolds second, 7-0 Vote.

30. Appeal by J.B. Hamilton of the denial by the Health Authority of a request for exception to the private sewage facility requirements of Chapter 6-10 of the City Code.

Appeal Denied, on Councilmember Epstein's motion, Councilmember Garcia's second, 7-0 Vote.

4:00 P.M. - ZONING HEARINGS AND APPROVAL OF ORDINANCES

ZONING DISTRICTS

Recommended as Requested

31. C14-91-0093 - ARNO B. PFENNIG, By: REG Enterprises, Yaupon Drive and T-Bar Trail. From DR to SF-2. Planning Commission Recommendation: To Grant SF-2, Single Family Residence (standard lot) as requested.

Ordinance, on Mayor Pro Tem Urdy's motion, Councilmember Garcia's second, 6-0-1 Vote, Councilmember Reynolds abstained, due to conflict of interest.

32. C14-91-0095 - CITY OF AUSTIN, By: Dept. Of Planning and Development, Far View Drive. From DR to RR. Planning Commission Recommendation: To Grant RR, Rural Residence as requested.

Ordinance, on Mayor Pro Tem Urdy's motion, Councilmember Garcia's second, 7-0 Vote.

Recommended as Requested, With Conditions

33. C14-91-0090 - R. L. WYATT, 7221 McNeil Road. From SF-3 to CS. Planning Commission Recommendation: To Grant CS-CO, Commercial Services-Conditional Overlay, limited to a maximum floor-to-area ratio of 0.16, and subject to dedication of 45 feet of right-of-way from the existing centerline of McNeil Road.

First Reading, on Councilmember Garcia's motion, Mayor Pro Tem Urdy's second, 7-0 Vote.

34. C14-91-0092 - EXXON COMPANY USA, By: Consort, Inc., 2402 Lake Austin Boulevard. From LR to GR. Planning Commission Recommendation: To Grant GR-CO, Community Commercial-Conditional Overlay, limited to: (1) LR, Neighborhood Commercial uses; (2) a maximum floor-to-area ratio of 0.50; and (3) LR site development standards with the following exceptions - a minimum front yard setback of 10 feet and a

minimum street side yard setback of 13 feet except for underground storage tank facilities.

Ordinance, on Councilmember Nofziger's motion, Councilmember Reynolds' second, 7-0 Vote.

35. C14-91-0094 - EMPLOYERS INSURANCE OF TEXAS, By: Carson Planners, 6320 La Calma Drive. From CS to LI. Planning Commission Recommendation: To Grant LI-CO, Limited Industrial Services-Conditional Overlay, with the following conditions: (1) limited to light manufacturing as the only LI use and the range of CS uses permitted under the LI district; (2) if the proposed use ceases for more than 90 days, the zoning will be rolled back to CS; (3) if the the High-Tech Ordinance amendment is approved, then the zoning will be rolled back to CS; and (4) compliance with applicable PDA performance standards, prior to issuance of a certificate of occupancy.

First Reading, on Mayor Pro Tem Urdy's motion, Councilmember Garcia's second, 7-0 Vote.

PUBLIC HEARINGS AND APPROVAL OF ORDINANCES/RESOLUTIONS

36. 5:00 P.M. - Special Performance Evaluation of Austin Cablevision.

Public hearing closed, on Councilmember Nofziger's motion, Councilmember Reynolds' second, 7-0 Vote.

37. 5:30 P.M. - Amend Chapters 13-2 and 13-5 of the Land Development Code concerning parking requirements and supplemental use regulations for restaurants and cocktail lounges.

Public hearing closed, and amendments to Chapters 13-2 and 13-5 of the Land Development Code approved, on Councilmember Epstein's motion, Councilmember Larson's second, 6-0 Vote, Mayor Pro Tem Urdy out of the room.

DINNER BREAK

Council recessed for dinner from 6:00 to 6:30 P.M.

ITEMS FROM COUNCIL

38. Consider a Resolution supporting new spending priorities for the federal government. (Councilmembers Michael "Max" Nofziger and Gus Garcia)

Motion

Councilmember Nofziger made a motion, seconded by Mayor Todd to adopt the resolution.

Substitute Motion

Councilmember Larson offered a substitute motion, seconded by Councilmember Reynolds, to change wording in the resolution by deleting "reduce military budget by a minimum of 10% each year for the next five years" and deleting "provide better"; that would make the resolution read: "Now therefore be it resolved that the City of Austin calls upon the federal government to cut defense spending and use the savings to reduce the national debt and to invest in human and public infrastructure including housing, health care, job training, environmental protection, education, mass transit, and drug abuse prevention and treatment. The reduction should in no way negatively impact the compensation of veterans with vested military benefits." Vote on the Substitute Motion FAILED by a vote of 3-4 with Mayor Todd, Mayor Pro Tem Urdy, Councilmembers Garcia and Nofziger voting No.

Roll Call on Main Motion

5-0-2 Vote, Councilmembers Larson and Reynolds abstained.

39. Authorize the City Manager to enter into an agreement with Friend of the Parks, Inc. to construct lighting improvements along the Town Lake hike and bike trail from Lamar Blvd. east to Waller Creek on the north shore and west to approximately 1700 feet east of the Congress Avenue Bridge on the south shore. (Councilmember Michael "Max" Nofziger)

Postponed to January 23, 1991.

40. APPOINTMENTS

Council made the following appointments on Councilmember Reynolds' motion, Councilmember Epstein's second, 7-0 Vote.

BERGSTROM CONVERSION TASK FORCE - John Lewis

EMS QUALITY ASSURANCE TEAM - Pam Reed

MAYOR'S COMMITTEE FOR PEOPLE WITH DISABILITIES - Mike Manor

END OF MEETING SPEAKER - Robert Singleton

ADJOURN - The meeting was adjourned at 8:12 P.M.